

GOVERNMENT OF ANDHRA PRADESH

A B S R A C T

Social Welfare Department – Land Acquisition for House Sites – Kurnool District – Yemmiganur Village & Mandal - Land Acquired for provision of house sites to the weaker section people – Sanction of Rs.12,52,414/- towards half of the decretal charges in LAASMP. No. 525/2012 in LAAS No.135/2012, in OP No.70/2006 and in LAASMP No 547/2012 in LAAS No. 148/2012 in OP No. 80/2006 – Orders - Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O Rt.No. 436

Dated: 24.06.2013

Read the following

1. From the Dist Collector, Kurnool Lr.No.H.52/SWLA/2012, dt 08.11.2012.
2. From the CSW, A.P., Hyderabad Lr.No.LA4/9496/2012, dt 21.11.2012.
3. From the Spl CS & CCLA, AP, Hyd, Lr Ref NoS2/1058/2012, dt. 28.03.2013

ORDER:

In the reference 3rd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that the LAO/RDO, Adoni has acquired land to an extent of Ac. 3.977 Cts in Sy. No : 68/A1 etc., situated at Yemmiganur Village & Mandal of Kurnool District through an Award No 2/HS/ 2006, dt.16.02.2006 for providing house sites to the weaker section of Kurnool District and the LAO had fixed the land value @ Rs. 42,000/-and 46,000/- per acre. Aggrieved by the fixation of market value, the Claimants were filed OP. No 70/06 and 80/2006 in respect of Ac.3.977 Cts in Sy.No.68/A1 etc., in Yemmiganur Village U/s.18 of LA Act before Hon'ble Sr.Civil Judge Court, Adoni and the Lower Court had issued orders dated 26.02.2010, is as follows:

1. That the claimants are entitled to market value at Rs. 3,00,000/- per acre (Subject to deduction of 1/3 rd thereof per acre)
2. The claimants are entitled to Solatium @ 30% p.a. on the enhanced amount.
3. That the Claimant are entitled to the additional value @ 12% per annum on enhanced amount from the date of preliminary notification till the date of award.
4. That the claimant are entitled to interest 9% for one year from the date of preliminary notification and 15% p.a. thereon the enhanced amount till the date of deposit into the Court.
5. The amount already paid by the LAO shall be deducted for the compensation payable.

The Asst. Government Pleader, Adoni in the Letter dated 16.08.2011 opined that the above O.P's are fit cases to prefer the Appeal against the Decree and Judgement of the said OP's before the Hon'ble High Court of AP, Hyderabad. The District Collector, Kurnool has also stated that, the LAO/RDO, Adoni has filed the Appeal in the High Court of AP, Hyderabad as the orders of High Court are pending, further, the LAO/RDO filed different miscellaneous petitions in different dates is as follows : LAASMP. No 525/2012 in LAAS No : 135/2012, in OP. No. 70/2006.Dated 16.03.2012, LAASMP No : 547/2012 in LAAS No : 148/2012, in OP No : 80/2006 , Dated 16.03.2012 and the order of High Court is as follows :

“ There shall be an interim stay, as prayed for on condition of the petitioner-appellant depositing half of the amount awarded along with costs within a period of six weeks from today. On such deposit, respondent-claimant is permitted to withdraw the same with out furnishing any security”.

The District Collector, Kurnool has submitted proposals for sanction of Rs. 12,52,414/- (Rupees twelve lakhs fifty two thousand four hundred and fourteen only) towards payment of half of the decretal charges in LAASMP. No. 525/2012 in LAAS No. 135/2012, in OP No.70/2006 and in LAASMP No. 547/2012 in LAAS No : 148/2012 in OP No. 80/2006 for the lands acquired to an extent of Ac. 3.977 Cts in Sy. No. 68/A1 etc., situated at Yemmiganur Village & Mandal of Kurnool District for the purpose of providing house sites to weaker section.

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2. The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad, after verification and scrutiny of the proposals of the Dist Collector, Kurnool/Commissioner, Social Welfare, has sent comparative calculation sheet for an amount of Rs. 12,52,414/- (Rupees twelve lakhs fifty two thousand four hundred and fourteen only) towards payment of half of the decretal charges in LAASMP.No.525/2012 in LAAS No : 135/2012, in OP No.70/2006 and in LAASMP No : 547/2012 in LAAS No. 148/2012 in O.P No. 80/2006 for the lands acquired to an extent of Ac. 3.977 Cts in Sy. No.68/A1 etc., situated at Yemmiganur Village & Mandal of Kurnool District for the purpose of providing house sites to weaker section.

3. Government, after careful examination of the above proposal, hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad for release an amount of Rs. 12,52,414/- (Rupees twelve lakhs fifty two thousand four hundred and fourteen only) to the District Collector, Kurnool towards payment of half of the decretal charges in LAASMP.No.525/2012 in LAAS No : 135/2012, in OP No.70/2006 and in LAASMP No : 547/2012 in LAAS No. 148/2012 in O.P No. 80/2006 for the lands acquired to an extent of Ac. 3.977 Cts in Sy. No.68/A1 etc., situated at Yemmiganur Village & Mandal of Kurnool District for the purpose of providing house sites to weaker section.

4. The expenditure sanctioned in para (3) above shall be met within the BE.2013-14 and debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

5. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, Kurnool to comply with the Court orders in in LAASMP.No.525/2012 in LAAS No : 135/2012, in OP No.70/2006 and in LAASMP No : 547/2012 in LAAS No : 148/2012 in OP No. 80/2006.

6. The District Collector, Kurnool shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary & Chief Commissioner of Land Administration,
A.P., Hyderabad
The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, Kurnool

Copy to:

The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The District Treasury Officer, Kurnool District.
Finance (Exp.SW/BG) Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER